

**Remarks/Arguments**

Reconsideration of this application is requested.

**Extension of Time**

A request for a two month extension of the period for response to the office action mailed on April 5, 2005 is enclosed. The extended period for response expires on September 6, 2005.

**Claim Status**

Claims 1-86 are pending. Claims 1 and 41 are amended.

**Claim Rejections – 35 USC 101**

Claims 1-82 are rejected under 35 USC 101 as directed to non-statutory subject matter. As suggested by the Action, claims 1 and 41 are amended to read, respectively, “A computer implemented method...” and “A computer implemented system...”, and are now in compliance with 35 USC 101. Dependent claims 2-40 and 42-82 inherit these limitations and are similarly in compliance with 35 USC 101.

**Claim Rejections – 35 USC 103(a)**

Claims 1-84 are rejected under 35 USC 103(a) as obvious over Fong et al. (US 6,279,015) (“Fong”) in view of Sahota et al. (US 2001/0056460) (“Sahota”). Claims 85 and 86 are rejected under 35 USC 103(a) as obvious over Fong in view of Sahota and further in view of Hunt et al. (US 2004/0133848) (“Hunt”). For the reasons set forth below, applicant respectfully traverses the rejections.

Applicant describes a very powerful conversion tool by which input data in any of a plurality of markup formats may be converted into output data in any one of a plurality of markup formats. Thus, for example, input data in any of HTML, XML or WML markup formats could be accepted and converted into output data in any of HTML, XML or WML output formats. This fundamental concept is reflected in each of independent claims 1, 41, 83 and 85. Claim 1, for example, recites:

...providing the input data from at least one source, the  
input data marked up in at least one of a plurality of  
markup formats; and

processing the input data directly in any one of the plurality of markup formats to transform the input data into output data in any one of the plurality of markup formats.

Claims 41, 83 and 85 include similar recitations.

The Action asserts that this conversion process is obvious over the combination of Fong and Sahota. Applicant disagrees. Both Fong and Sahota disclose a conversion process for converting data in one specific markup language to output data in another specific markup language. Fong discloses conversion of SGML input data into HTML output data. Sahota discloses conversion of HTML input data into XML output data. Thus, Fong and Sahota are each limited to one input markup format and one output markup format. The combination of these two one-to-one markup conversion processes provides no disclosure or suggestion of a much more powerful and agnostic conversion process such as applicant's in which both the input and output data may have any of a plurality of markup formats, and certainly provides no teaching as to how such a process would be implemented.

With respect to Sahota, applicant acknowledges the disclosure at paragraph [0034] that the output XML file may be further transformed for display on different types of platforms or formats, with HTML being given as an example. However, applicant notes that Sahota does not provide any further details or teach how this would be accomplished. Presumably, if Sahota could convert from HTML to XML, it could also perform the reverse conversion from XML to HTML. Moreover, and importantly, there is no disclosure that any of a plurality of input markup formats could be processed. The only input data that is discussed and disclosed as being input and processed for conversion is in the HTML format.

Since Fong and Sahota do not teach or suggest each and every limitation of claims 1, 41, 83 and 85, it cannot render those claims obvious. With respect to claim 85, Hunt is cited merely for its disclosure that the data consultation tier may be on a wireless telephone. Hunt does not remedy the fundamental deficiencies of

Fong and Sahota. The rejections of claims 1, 41, 83 and 85 under 35 USC 103(a) should accordingly be withdrawn.

The dependent claims include all limitations of the independent claims and are thus allowable for the same reasons. Moreover, the dependent claims recite additional limitations that provide further distinctions over the prior art, and it appears that the Action has misconstrued or simply ignored many of these limitations.

Dependent claims 2 and 42, for example, further define the conversion process as (1) in response to a first request, accessing input data in one of the plurality of markup formats; (2) standardizing the input data into one of the plurality of markup formats; and (3) in response to a second request, transforming the standardized data into output data in one of the plurality of markup formats. Thus, input data, in any number of formats, is converted into standardized data in order to facilitate its conversion into output data, in any number of formats. The conversion process may proceed, for example, as: HTML (input markup language)→XML (standardized markup language)→WML (output markup language).

In addressing these limitations, the Action states at pages 3-4 that "Fong does not specifically disclose a request to 'standardize' data. However...it would have been obvious...to provide an initial request of an input SGML file which at least adheres to a set of standards". This is not what is being claimed. Applicant does not claim a request for standardized data. Applicant requests input data, in whatever format it may be, and then converts it into standardized data. In fact, as specifically discussed at pages 6-7 of applicant's specification, one of the most powerful features of applicant's invention is that the input data need not be standardized and need not strictly respect a hierarchy of tags.

As another example, dependent claims 15 and 55 claim generating the standardized data using a fault tolerant SGML parser. It is this feature that permits acceptance of non-standardized input data that may not strictly respect a

hierarchy of tags. The Action asserts that because Sahota discloses using templates and scripts to convert from HTML to XML, it would be obvious to provide fault tolerance as claimed by applicant.

Applicant strongly disagrees with this logic. Sahota says nothing about non-standardized data or what might be done to ensure proper conversion of such data. There is no acknowledgement that the problem even exists. Taking Sahota for what it actually discloses, one can only conclude that Sahota's conversion process would fail or be incomplete if it encountered non-standardized data. The Action improperly assumes that Sahota acknowledges and sees the need to address the problem, and then concludes that it would have been obvious for Sahota to use applicant's solution (a fault tolerant SGML parser) to solve the problem. This is improper hindsight of both the problem and solution, and applicant therefore submits that the rejections of claims 15 and 55 under 35 USC 103(a) should be withdrawn.

Finally, applicant notes that the limitations of many of its dependent claims are not addressed at all by the action. In claims 16-31 and 56-71, for example, applicant recites the details of its conversion process. Taking just one example, claim 18 recites:

traversing selected nodes of the first tree structure,  
wherein selected nodes are nodes in a range defined by  
the first selection information of the template procedure;

determining, for each node traversed, whether a tag  
corresponding to the node matches the second selection  
information;

executing at least one corresponding action if a tag  
corresponding to the node matches the second selection  
information; and

constructing the second document based on content  
collection actions in the at least one template procedure  
that is executed

As is the case with the majority of the dependent claims, the Action is completely silent on these limitations, which are important steps in applicant's process. The Action merely asserts that Sahota uses templates in a conversion process. This falls far short of the notice to which applicant is entitled for the reasons for rejection of its claims. Thus, applicant submits that the claims should either be allowed, or that a subsequent action be issued pointing out with specificity where in the cited references each limitation from each of applicant's claims is shown or suggested. Moreover, since no specific grounds or reasoning have been provided for the rejections of many of the claims, applicant submits that the next action, if any, should be non-final so that applicant has a full and proper opportunity to respond.


#### **Conclusion**

This application is now believed to be in condition for allowance. The Examiner is invited to telephone the undersigned to resolve any issues that remain after entry of this amendment. Any fees due with this response may be charged to our Deposit Account No. 50-1314.

Respectfully submitted,  
HOGAN & HARTSON L.L.P.

Date: September 6, 2005

By: \_\_\_\_\_

  
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